

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

FREDERIC I. HORNBECKER,
Plaintiff,

CV. 05-186-PK

OPINION AND
ORDER

v.

ALLSTATE INDEMNITY COMPANY,
Defendant.

PAPAK, Magistrate Judge:

This matter came before the court on defendant's Motion to Compel Production of Documents and Signature on Internal Revenue Service Forms 8821 and 4506 (#31). Oral argument was heard on December 13, 2005.

Upon agreement of the parties, plaintiff shall disclose all financial information including but not limited to W2 forms and 1099 forms to establish plaintiff's income on the date of the fire, April 1, 2004, and for a period two years prior. This documentation should address and corroborate, if possible, plaintiff's deposition testimony that his net worth at the time of the fire

was \$2.5 million.

Plaintiff is ordered to sign Internal Revenue Service forms 8821 and 4506 for the limited purpose of allowing defendant the opportunity to depose Patricia Whitney or another IRS agent involved with plaintiff's ongoing relationship with the IRS to determine plaintiff's financial situation on April 1, 2004, and for the period two years prior.

The court orders a status conference by telephone for January 12, 2006 at 3:00pm to report on progress in this ongoing discovery.

CONCLUSION

For the foregoing reasons, defendant's Motion to Compel (#31) is granted with the limitations listed above.

Dated this 14 day of December, 2005.



Paul Papak
Honorable Paul Papak
U.S. Magistrate Judge